

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

PUBLIC SERVICES – CT Department – Zone VI – Hyderabad and Secunderabad Nodal Division - Certain DR ACTOs – Request for revision of date of commencement of probation - Appeal for relaxation of 16(h) of APS & SS Rules, 1996 - Orders – Issued.

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#### REVENUE (CT.I) DEPARTMENT

G.O.Rt.No.152.

Dated:24.01.2012.

Read the following

1. Representation dated. 28.07.2010 Sri P.Chisteshwer, ACTO, ICP, Saloora, O/o CTO, Nizamabad.
2. Representation dated. Nil, Sri V.Suresh, ACTO, O/o CTO, Ashoknagar Circle.
3. Representation dated. 27.07.2010 Sri C.Sampath Kumar, ACTO, O/o CTO, Jeedimetla Circle.
4. CCTs Ref No.DX92)/727/2010, dated.30.12.2010.
- 5.The Secretary, APPSC Lr.No.1749/DTM/2001, dated.23.08.2010

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### ORDER:

In the reference 4<sup>th</sup> cited, the Commissioner of Commercial taxes has reported that certain DR ACTOs of Zone VI of Hyderabad and Secunderabad Nodal Division viz., (1) Sri P.Chisteshwer, ACTO(DR), ICP, O/o CTO, Nizamabad, (2) Sri V.Suresh, O/o CTO, Ashoknagar Circle and (3) Sri C.Sampath Kumar, ACTO, O/o CTO, Jeedimetla Circle have joined the department as DR ACTOs on 26.02.2005, 28.02.2005 and 01.03.2005 respectively. As per the departmental rules they have to pass all the requisite departmental tests by 25.02.2008, 27.02.2008 and 28.02.2008 respectively. However, the said individuals have passed the last departmental tests as indicated below which is beyond three years from the date of their joining in the department.

Sl. No.	Name	Last Departmental test passed	Date of publication of results
	Sri		
1	P.Chisteshwer, ACTO	LF Audit Paper.IV	June, 2009
2	V.Suresh, ACTO	LF Audit Paper.IV	June, 2009
3	C.Sampath Kumar, ACTO	LF Audit Paper.IV	22.02.2010

The Commissioner of Commercial Taxes has requested the Govt. for re-fixation of the date of the commencement of probation of the above individuals under rule 16(h) of the APS & SS Rules, 1996.

Government, have examined the matter carefully and observe that the said(3) DR ACTOs did not clear all the departmental tests within the prescribed time of three years due to delay in conduct of departmental tests by the APPSC as follows:-

- (a) Sri P.Chisteshwer, ACTO(DR) has passed the last departmental exam i.e. LF Audit Paper.IV in June, 2009. As per schedule the APPSC has to conduct the Departments exams in the month of Nov, 2007 and results ought to have been published in the month of Jan, 2008. But the APPSC has not conducted the departmental tests as per schedule and the notification of the said session was issued on 08.08.2008 instead of July, 2007; with a delay of 13 months and the exam was conducted on 20.10.2008 instead of Nov, 2007; with a delay of 11 months and results were published in June, 2009; instead of last Thursday of January,2008 i.e. 31.01.2008; with a delay of 17 months from the scheduled period.
- (b) Sri V.Suresh, ACTO(DR) has passed the last departmental exam i.e. LF Audit in June, 2009. As per schedule the APPSC has to conduct the Departments exams in the month of Nov, 2007 and results ought to have been published in the month

of Jan, 2008. But the APPSC has not conducted the departmental tests as per schedule and the notification of the said session was issued on 08.08.2008 instead of July, 2007; with a delay of 13 months and the exam was conducted on 20.10.2008 instead of Nov, 2007; with a delay of 11 months and results were published in June, 2009 instead of last Thursday of Jan, 2008 i.e. 31.01.2008; with a delay of 17 months from the scheduled period.

- (c) Sri C.Sampath Kumar, ACTO(DR) has passed the last departmental exam i.e. LF Audit Paper.IV on 22.02.2010. The departmental tests; May, 2008 and Nov, 2008 sessions were clubbed with May, 2009 session. As per schedule the APPSC has to conduct the Departments exams in the month of May, 2008 and results ought to have been published in the month of July, 2008. But the APPSC has not conducted the departmental tests as per schedule and the notification of the said session was issued on 15.06.2009 instead of Jan,2008; with a delay of 17 months and the exam was conducted on 24.08.2009 instead of May,2008; with a delay of 15 months and results were published on 22.02.2010 instead of last Thursday of July,2008 i.e. 31.07.2008; with a delay of 19 months from the scheduled period.

It is observed that in the first two cases i.e. Sri P.Chisteshwer, ACTO(DR) and Sri V.Suresh, ACTO(DR) they have passed the last departmental test in the month of June, 2009 which is beyond three years from the date of their joining in the department. Had the departmental tests been conducted in time they would have passed the same on 31.01.2008. Hence, the delay in passing the test is not due to the fault of the individuals but due to delay in conducting of departmental tests by the APPSC. Hence the delay in passing of tests cannot be attributed to the individuals. It is therefore decided to relax rule 16(h) of Andhra Pradesh State and Subordinate Service Rules 1996 in favour of the said individuals by invoking the powers of relaxation conferred under Rule 31 of APS & SS Rules, 1996 and accordingly the probation of the following (2) DR ACTOs of Zone VI of Hyderabad Nodal Division is deemed to have commenced from the date of their joining as follows:-

1. Sri P.Chisteshwer, ACTO(DR), ... 26.02.2005.
2. Sri V.Suresh, ACTO(DR ) ... 28.02.2005.

In respect of Sri C.Sampath Kumar, ACTO(DR), it is observed that even if the exams were conducted on time and results were also published on time still the individual would have been deemed to have completed his probation in July, 2008 which would have been beyond the 3 years period. It is therefore decided to extend his probation up to the deemed date of declaration of results for the January, 2008 session of exam as per the A.P. Departmental Test Rules in terms of rule 16(h) of Andhra Pradesh State and Subordinate Service Rules 1996.

Accordingly, and in terms of rule 16(h) of the APS & SS Rules, 1996, Government hereby order that Sri C.Sampath Kumar, ACTO(DR), shall be deemed to have commenced his probation two years anterior to the deemed date of publication of results by the APPSC i.e. 31.07.2008. Thus his probation would be deemed to have commenced on 01.08.2006.

The Commissioner of Commercial Taxes, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Commercial Taxes, Hyderabad.

**Copy to:** the individual through the Commissioner of Commercial Taxes, Hyderabad.  
SF/SCs.

// FORWARDED BY ORDER //

**SECTION OFFICER**